



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

MEN AND NATIONS

BY PHILIP MARSHALL BROWN

IN constructing a battleship one would hardly consult a milliner. In planning a bridge across the North River, the advice of a doctor would be of slight value. In treating cancer, the opinions of a lawyer likewise are not to be taken very much into account. Whatever the problem, whether of a bridge, a battleship, disease or human society, we ordinarily insist first of all on a thorough knowledge of materials; the nature of steel, for example, in the construction of a battleship or a bridge, and of anatomy in the case of the human body. One cannot base plans on the supposition that steel is the same thing as wood, or the human body the same as metal. Furthermore, we demand a precise knowledge of the laws governing construction, such as strain and stress, etc. In the case of the human body we are concerned with the laws relating to vital functions.

In the field of international relations, curiously enough, we find that the doctor, the lawyer, the milliner, the college president, and the "man in the street" all reveal an equal competence. All are ready with a definite explanation of the ills of international society, and all are prepared to suggest how this universe should be run. In very few cases may it be said that these *competent* authorities have an accurate, scientifically trained knowledge of the exact nature of international society, and of the laws governing the functions and the relations of nations. The preacher approaches the problem from the general principle of the brotherhood of man; the lawyer from the argument of analogy to ordinary political institutions, and the rest from various points of view, mostly of a sentimental or emotional character. Few of them, if called upon to administer the affairs of a municipality, would have the courage even to express an opinion, but most of them, in their vast ignorance of the nature and functions of international society, have slight hesitancy to enunciate their

views. They are perfectly safe because they are in no danger of being called upon actually to run the universe.

This general ignorance of international society may be classified under three headings: the nature of the State, the interests of the State, and the laws governing and controlling these interests.

As to the nature of the State, apart from the political theorists, few persons can tell you what it is, what are its objects and how it functions. The definition of the interests of nations is so excessively difficult that it has primarily to do with the causes of war itself. If nations only could agree as to the precise interests of each and all, peace would not be difficult. But even when they have agreed upon certain of their mutual interests, the formulation of the laws to protect these interests is far from an easy task. In fact, it must be admitted that international law in this respect is still in an early stage of development. There are vast areas where no legal remedies are yet available. And then there remains the stupendous problem of the best means of safeguarding the rights of nations once their interests have been determined and the laws for their protection formulated.

I must confess to a personal impatience with the political theories of Hobbes, Locke, Rousseau and the rest. I do not deny that they served a certain valuable purpose in the early evolution of political thought. They are most ingenious, and at times stimulating, but I hold that they have very slight relations to the world of reality. I fear that they have even confused and misled many earnest political thinkers in their efforts to solve the problems of human society. It would seem as if we had now reached the stage in our political evolution when the only effective method for the study of politics is the laboratory method—the practical, hard, objective test of analysis. I believe that this method can be applied to human society and particularly to international society with the greatest success, even where we have to take into account ideas and emotions which may be considered subjective in character. In the latter instance, as in psychology, I believe it possible to submit testimony of this subjective nature to an objective analysis which, in the case of national differences and rivalries, may be of the utmost signifi-

cance. We should, in an honest spirit of inquiry, shun with horror the emotional and sentimental method of considering this problem and should concentrate our investigations open-mindedly—and not unsympathetically—on the definite problem of the very nature of international society.

I know of no more fundamental problem in this connection than that of the relation of man to the State, for the reason that there is an obvious confusion of thought, a tendency to confound the State and the individual as one and the same thing. This is constantly appearing in the arguments of statesmen and publicists of high distinction. I suspect this is due in many instances to the pernicious influence of political theorists of the school of Hobbes, Locke and Rousseau. I recall an assertion by Lord Bryce in his lectures at the Institute of Politics in Williamstown last summer, to the effect that nations were still living in a "state of nature". Such a state of nature remains yet to be demonstrated as an actual fact and not as a mere political concept.

It is an amazing fact that little of an original analytical nature regarding the relation of man and the State has yet been published, allowing of course for occasional incidental allusions to the problem. Perhaps the most valuable contribution to the subject is to be found in the recent book of Professor MacDougall on the subject of *The Group Mind*. One can find here most suggestive observations as to the exact nature of international society and the functions of nations. Another book of lesser importance but still of much interest is that by Miss Follett on *The New State*. Certain of the most recent attempts to deal with this problem are of much less value for the obvious reason that the authors are endeavoring to sustain some preconceived theory as to the nature and organization of international society.

In approaching this problem of the relation of the individual to nations, we are bound to start with the classic statement of Aristotle, that "Man is by nature a political animal". It is necessary, however, to consider this assertion in the light of its original context. What Aristotle really said was: "It is evident that the State is a creation of nature and that man is by nature a political animal. The State is by nature clearly prior to the

family and the individual, since the whole is of necessity prior to the part." In other words, man is a political animal not because he has a divinely given political sense, but because he is the product of organized society. This is a profound observation which demands the most earnest study. Its truth may be ascertained by various tests.

Obviously, by approaching the problem from a biological standpoint, as does Professor Henry Jones Ford, in his most stimulating volume, *The Natural History of the State*, it is not difficult to show that the *homo sapiens* was originally a gregarious animal and that it was by this gregarious instinct that he was able to secure his higher development and, specifically, his political evolution. Here we run counter to the political theorists who would insist on some intelligent, deliberate decision on the part of man to abandon a state of nature and secure for himself the benefit of organized society. It would seem as if the argument of the biologist was of infinitely greater value than that of the political theorist.

We may, however, approach the problem from the political point of view, or rather the philosophical point of view, and seek by an analysis of the exact nature of political society to test Aristotle's assertion that man is the product and not the creator of organized society. It is a matter of common experience that a man living in the open country apart from the immediate restraints of society is quite distinct from the citizen living within an organized community. When men met in the open country in what we were formerly accustomed to call "the frontier", they met in a challenging spirit and reserved to each an enormous liberty of action which they could not claim in a city. From the higher intellectual and ethical point of view, it may be argued whether this was true liberty, but it certainly was liberty of a very primitive sort.

When a man leaves the open country and settles in an organized community, he submits himself to many restraints. He makes, for the sake of other compensating advantages, what might be termed actual sacrifices. First of all, there is the sacrifice of physical freedom. He cannot dash madly through the crowded street as he would in the open prairie. There are

fences, walls and policemen to impede his freedom of movement. He may not shout and sing as he may feel inclined to do in the open. There are others not only to be considered but to be protected against noise, disturbance and injury.

Secondly, the individual in society makes the great sacrifice of freedom of judgment. He cannot decide, even regarding his own family affairs, without running counter at times to the judgment of men about him. The first lesson he must learn in organized society is "a decent respect for the opinions of mankind". This he finds to be a basic principle of political society. Those who have served on committees, on boards of directors, on college faculties and other deliberative bodies, know this painful truth. Deliberation and discussion in groups not infrequently lead to decisions which no one individual of the immediate group concerned would be prepared to admit conformed entirely to his own personal judgment. In such discussion each makes his own contribution and oftentimes throws light on the subject for the rest. "Taking common counsel" is literally to submit a problem to the consideration and decision of all. It is viewed from every angle—of fact, of opinion, of logical deduction and of ethical consideration. The consensus of opinion—a decision attained in such a manner—generally represents the mature judgment of no one individual in the group. It is a resultant—a composite, a strange product that may not always be conformable to the ordinary tests of logic. Such is the normal process by which a nation reaches its decisions and governs its actions. Such is the sacrifice of the freedom of individual judgment which a man must make when he claims the privileges of organized society.

Thirdly, from the foregoing it is evident that the individual in society is compelled to make a sacrifice of his freedom of will. He can neither decide nor act according to the imperious demands of his own personality. He is compelled to merge his own will into the general will of the State. This often seems to exact a most painful sacrifice, but it is one that he makes as a "political animal" for the greater good of the whole.

And fourthly, it is evident that under such conditions the individual citizen is compelled to make a certain sacrifice of

conscience. He must be governed by the judgment and the will of his fellow citizens as expressed through the State. This implies obviously an abdication of his own moral conscience. He may doubt; he may seriously question; he may even fear the wisdom and the moral value of their decision and action; but unless he is a genuine revolutionist, or an extreme individualist, or an actual anarchist, he conforms his conscience to the composite conscience of all. Here we have the justification for revolutions where a citizen firmly believes that an intolerable wrong is being committed which compels him conscientiously to take up arms. Ordinarily, such revolts are due to the tyranny of a few, and are much less frequent in recent times. It is possible, naturally, that even in the best organized democracy a moral issue may arise through the tyranny of the majority where revolt is the only available recourse. This, however, is not very likely and in the ordinary course of events, no matter what personal reservations of conscience an individual citizen may make concerning the decision of the rest, he literally assents to the bold statement of patriotic duty, "My country, right or wrong." All that he means by this would appear to be that once democracy has decided, a due regard for the opinions of his fellow men compels him to submerge his own judgment, will and conscience into one national judgment, will and conscience.

These are the main influences working in organized society which would seem amply to demonstrate the truth of Aristotle's assertion that "Man is a political animal", that he is a different individual in the State from the individual in the so-called "state of nature", that, in sum, he is the product of the State and not the original builder of the State. In other words, the State is to be regarded as an organism in which man finds his own peculiar functions and his greatest opportunity for individual development. The sacrifices which he may appear to make of the freedom of his own personality are more than compensated by the opportunities for his higher intellectual and ethical evolution within the State. He serves the State because the State best serves him. But he is not to be identified with the State itself; a nation is something more than an aggregate of individuals. It is, as Vattel says, "a moral person who possesses an

understanding and a will peculiar to itself and is susceptible of obligations and rights." When he says, however, that a State is a "moral person", we must be on our guard. From what has preceded, it is evident that a State is not an independent personality, possessing the freedom of will, judgment, action and conscience of an individual. A sentient human being, possessing what might be termed integrity of personality and character, may make rational decisions, love, hate, sacrifice, and conform, even quixotically, to what he may consider the dictates of conscience. Ethical rules and considerations necessarily should play a very considerable rôle in all his actions. They may even involve him and his family in ruin or death.

It would be palpably untrue to say that the State is a "moral person" in the same sense as the individual, even in the case of the responsible officials entrusted with the direction of the affairs of a nation. No matter what their own personal predilections may be, they are not free to carry into effect their own conceptions of duty and responsibility unless it should happen that they are irresponsible tyrants. The official decisions and actions of a nation, as we have seen, proceed from the common judgment, will and conscience of all, and this is something quite distinct from the individual will, judgment and conscience. Ethical consideration naturally cannot be ignored by the State, but it would be entirely inaccurate to say that the State reacts as a "moral person" in identically the same manner as the individual. For these reasons, I take it that what Vattel meant when he spoke of the State as a "moral person" was that a State, in order to enjoy rights and to meet its responsibilities, must be considered a "moral person" in a legal sense. He was not attributing to the State a moral personality possessing the attributes of a human being.

We are accustomed under the influence of the recent war to look with distrust on German methods of political thought. Their exaggeration, their perversion of the idea of nationality, has led us to regard the German conception of the State as something unreal and fantastic, particularly when it involved the worship of the person of the Kaiser as the supreme embodiment of the State. It is true that the Germans were inclined to wor-

ship the State as a sacred entity, as much the object of a cult as the statue of Buddha. I believe, however, that there is a substantial truth in the German theory of the State as enunciated by the Swiss publicist Bluntschli, when he said:

An oil-painting is something other than a mere aggregation of drops of oil and color; a statue is something other than a combination of marble particles; a man is not a mere quantity of cells and blood-corpuscles; and so too the nation is not a mere sum of citizens; and the State is not a mere collection of external regulations. . . . In the State, spirit and body, will and active organs, are necessarily bound together in one life. The one national spirit, which is something different from the average sum of the contemporary spirit of all citizens, is the spirit of the State; the one national will, which is different from the average will of the multitude, is the will of the State. . . . To extend the reputation and the power of the State, to further its welfare and its happiness, has universally been regarded as one of the most honorable duties of gifted men.

In properly estimating the value of this definition of the State, we must try to forget the ardent sentiment which led Germans in their patriotic zeal to exalt the State so highly. We should remember that German statesmen, such as Bismarck, were careful in their legislation to persuade these perfervid devotees of the State that it existed to further the welfare and best interests of all. This, it seems to me, is the essence of the best kind of nationalism, namely, the common realization of the fact that the highest evolution of the individual is to be found in organized society, and that a loyal devotion to one's own group is the most effective way of serving the interests of the greatest number. In this sense, therefore, I hold that in view of the vast differences of language, of sentiment, of tradition, of ideals and even of interests that characterize the many distinct national groups throughout the world, there is nothing more sacred, nothing more essential for the evolution of mankind, than the protection and the furthering of national aspirations. As in the animal kingdom, so in society, a man can only develop his best powers in the habitat and *milieu* to which he is by nature best adapted. This is merely the plea for the freedom of the individual within nations, exactly as we insist on the freedom of the individual in education, religion and other lines of activity. We must insist on the freedom of nations to work out their own problems ac-

according to the genius of their own national instincts and institutions, firmly believing that only in this way can groups of individuals make their richest contributions, scientifically or ethically, to the highest evolution of the human race.

If one can conceive this function and this supreme value of the State in the evolution of man as a "political animal", he can more sympathetically as well as rationally understand what loyalty to the group, or national patriotism, really means. He can more readily appreciate the justification as well as the explanation of national differences, yes, even rivalries, provided they be laudable rivalries for the ultimate benefit of the human race. He can understand those extraordinary peculiarities of national temperament, the divergencies even in methods of thought and also of ethical standards, that variously characterize a Frenchman, a Britisher, a Dutchman, an American, a Japanese, a German, etc. He can better realize why it is that men of different nationalities feel a glow of sentiment and a willingness to submerge their own personalities into their respective nations. Under such conditions, a citizen comes to realize that not only is he not a free personality in a loose association or corporation of other individuals, but that he is integrally a unit in a vast organism which in a sense is immortal, which perpetuates itself, replenishes its life, and, in the Bergsonian sense, is very much like an onward flowing river, composed of patriots of many generations past as well as of the present, and receiving into itself generations yet unborn.

These, it seems to me, are the main reasons which justify the individual in making what would appear to be such great sacrifices of integrity of judgment and character. No matter how vaguely sensed, or feebly expressed, it is this realization of the ends of political, social and ethical evolution that justifies a man in making these sacrifices, and that convinces him that there are compensations that vastly outweigh them. He serves the State because the State best serves him. Any other conclusion would seem clearly to lead to anarchism.

There are two general conclusions of moment regarding international society which I think should be particularly borne in mind. The first is, that if the State is an entity quite distinct

from the individual, and responding to different standards of reason and ethics from those applied to the individual, it must necessarily follow that the law protecting the interests of nations and controlling their inter-relations is a vastly different kind of law from that governing the relations of individuals. This distinction is fundamental in any study of international society, for the reason that inevitably we are inclined to reason by analogy from municipal society and law. It is infinitely more simple, more restful, more satisfying, to think of nations as we would think of our own particular community; but this is utterly fatal when one once realizes the basic difference between the State and the individual. When one has a glimpse of the problem of protecting and advancing the interests of millions of human beings pursuing their own best ends along separate but convergent lines of national instincts and institutions, he realizes that ordinary reasoning by analogy is not only insufficient but quite disastrous.

This is particularly obvious in the case of those followers of Austin who are unable to think of law in any other terms than that of the policeman. To them law is an order, a command; and disobedience to the law is to be met immediately with punishment. They cannot think on the plane of law as it is to function between these mysterious entities that we call nations. This leads inevitably to futile arguments and conclusions, quite simple often in their nature, which have very little relation to the facts of international existence. In order to get anywhere in our task of understanding the problems of international society, we must, first of all, have a clear understanding of these fundamental problems we have been considering, namely, the nature of the State, the interests of the State, and the law which shall best protect and advance these interests among nations. I am frank to confess that as I consider the points of view of eminent publicists and statesmen on the subject of international law, I am perforce led to infer that they have not always understood the exact nature of international society. There is an immense need for original, hard thinking on this whole field before we can make much headway in solving the great problems that now confront the society of nations.

The second general conclusion is that the problem of international organization becomes increasingly difficult when viewed in the light of the preceding considerations. How can we even discuss to any great advantage the problem of international organization—more definitely, the organization and functioning of the League of Nations or of any conference of nations called for the purpose of furthering the best interests of all—when we have not even agreed as to the precise nature of this society or of the law which should reign supreme? Such discussion would not only seem futile, but even dangerous when it results in an accentuation of the sense of differences of interests among nations, and fails to accentuate their common ultimate interests. Under such circumstances we should charitably make all due allowances for our inability to agree on methods and programmes for international conciliation or organization. Lamenting the palpable fact that we are arguing from different premises, some of which are bound to be false, we should labor to encourage a more scholarly, dispassionate study of these vast problems of international society which it has been the purpose of this article to outline and suggest.

PHILIP MARSHALL BROWN.